

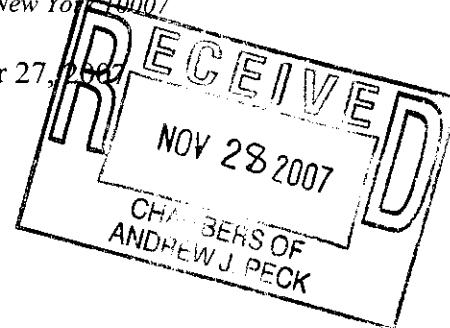


**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

86 Chambers Street, 3rd Floor  
New York, New York 10007

November 27, 2007



**BY HAND**

The Honorable Andrew J. Peck  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, NY 10007

Re: *Akinyemi v. Chertoff*, 07 Civ. 4048 (AJP)

Dear Judge Peck:

I write respectfully to request that the Court adjourn the settlement conference currently scheduled for December 7, 2007 in the above-referenced case. Based on preliminary discussions with counsel, the Government does not believe that a settlement conference is likely to be beneficial at this time. In lieu of a settlement conference, the Government requests that the Court schedule a status conference in early January 2008 to discuss a briefing schedule for a motion for summary judgment by the Government. Plaintiff's counsel consents to this request. Counsel for both parties are available January 7 and 9, 2008 for a conference.

The Government thanks the Court for its consideration of this matter.

Respectfully,

MICHAEL J. GARCIA  
United States Attorney

By:

JOHN D. CLOPPER  
Assistant United States Attorney  
Telephone: (212) 637-2716  
Facsimile: (212) 637-0033

cc: **BY FAX**  
K.C. Okoli, Esq.  
(212) 564-8152

**MEMO ENDORSED** 11/27/07  
*DENIED. Let's try to reschedule.*  
*If not, status should be due 1/16/08.*  
SO ORDERED.  
  
Hon. Andrew Jay Peck  
United States Magistrate Judge  
*copy for [unclear]*

**BY FAX**

# FAX TRANSMITTAL SHEET



**ANDREW J. PECK  
UNITED STATES MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT**

Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933  
Telephone No.: (212) 805-0036

Dated: November 28, 2007

Total Number of Pages: 2

TO	FAX NUMBER
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Kenechukwu Chudi Okoli, Esq.	212-268-3443

## TRANSCRIPTION:

**MEMO ENDORSED 11/28/07**

**DENIED. Let's try to settle this case. If not, SJ motion shall be due 1/16/08.**